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*Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
HEARST HOLDINGS, INC.,

Plaintiff,

v.

TROPICO DIFFUSION,

Defendant.  
-----X

08 Civ. 1546 (WHP)(GWG)

Affidavit of Ravi V. Sitwala

ECF Case

STATE OF NEW YORK     )  
                                  ) ss.:  
COUNTY OF NEW YORK    )

Ravi V. Sitwala, being duly sworn, deposes and says:

1. I am a member of the Bar of this Court, employed as Counsel at The Hearst Corporation, and attorney for plaintiff in the above-entitled action. I am familiar with all the facts and circumstances in this action.

2. I make this affidavit pursuant to Rule 6.1(d) of the Local Civil Rules of the Southern District of New York, in support of plaintiff's request for the issuance of an Order to Show Cause for Permanent or in the Alternative Preliminary Injunction.

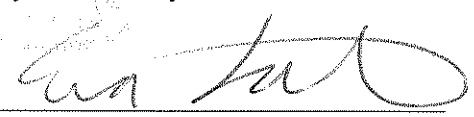
3. The request for an Order to Show Cause is being made because defendant Tropico has brought a litigation in France on an expedited schedule, the hearing for which is scheduled for March 13, 2008. Plaintiff seeks to enjoin Tropico's prosecution of the French action, as it is in flagrant violation of the exclusive choice of forum clause in the license agreement out of which the parties' dispute arises. Plaintiff will be forced to suffer the irreparable harm of appearing before the French tribunal, if no injunction is issued by this Court.

4. No previous application for similar relief has been made.

Dated: New York, New York  
February 14, 2008

  
\_\_\_\_\_  
Ravi V. Sitwala

Sworn to before me this 14  
day of February, 2008.

  
\_\_\_\_\_  
Notary Public

Eva Saketkoo  
Notary Public State of New York  
No. 02SA6028472  
Qualified in New York County  
Commission Expires Aug. 2, 2009  
Dec.